

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
NO. 3:00CR8

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES EDWARD NANTZ, JR,  
TIMOTHY LEE SHAW,  
VICKI BRADLEY SPENCE,  
JAMES DAWSON SIMPSON,  
LETITA LOWE PICKLESIMER,  
LINDA BROCKINGTON SIMPSON,  
ELIZABETH MARIE RUSHING,  
and THE NATIONAL BENEFITS  
ASSOCIATION,

Defendants.

ORDER OF DISBURSEMENT

THIS MATTER is before the Court *sua sponte* for purposes of disbursing the funds on deposit with the Clerk of Court which were not disbursed as part of Special Master Charles E. Lyons' "Final Report of Special Master" filed March 18, 2004, (doc. #324).

Attorney Lyons was appointed Special Master in this matter by Honorable Richard L. Voorhees, U.S. District Judge on January 4, 2002, (doc. # 283). The Special Master is now deceased and filed his "Final Fee Petition of Special Master" on April 7, 2004, (doc# 326).

On January 13, 2003, per "Order" of this court, (doc#296) the U.S. Marshal Service deposited with the Clerk \$1,696,347.36 for transfer to the Special Master for disbursement to the victims. This money was transferred to the Special Master's trust account on October 21, 2003, per "Order" of this court (doc#308). At that time this was the total amount of money available for disbursement. In his "Special Master's Distribution Report" filed September 17, 2003, (doc#307),

the Master paid out these funds to the victims with each victim receiving 16.1576713% of the funds on deposit. This list of victims and their pro rata payments found in the "Special Master's Distribution Report" were approved by the court in Judge Voorhees' "Order" of October 21, 2003, (doc #308).

In addition to the funds given to the Special Master on January 13, 2003, the defendants have also made payments to the Clerk of Court over the years. To date, these funds total \$87,357.38. Due to the death of Special Master Lyons, the Clerk hereby requests that the Financial Section of this court disburse these funds to the victims using the same list of names and formula used by Special Master Lyons and approved by the court in the October 21, 2003, "Order" (doc# 308) giving each identified victim 16.1576713% of the funds with the court and all future funds which may come in on this case.

IT IS SO ORDERED, that the Clerk shall proceed to disburse these and any further monies received in this matter as outlined above.

Copies of this Order are to be served on all parties, the Financial Section of this Court and the Clerk of Court.

IT IS SO ORDERED.

Signed: March 23, 2016

A handwritten signature in black ink, appearing to read "Frank D. Whitney", is written over a horizontal line.

Frank D. Whitney  
Chief United States District Judge

